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August 8, 2025

The Honorable Joan M. Azrack
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

RE: United States v. Vladimir Antonio Arevalo-Chavez
Criminal Docket No. 22-429 (JMA)

Dear Judge Azrack:

We are writing in response to the Court's direction to provide the Court with our specific requests for discovery with respect to the Government's Motion to Dismiss the Indictment dated April 1, 2025 (ECF #165), and the reasons that discovery would be useful in supporting our request for any dismissal of the indictment to be made "with prejudice," and that the entry of any dismissal order be stayed briefly so that we can file a writ of habeas corpus to ensure that our client can assert any rights he has to avoid removal from the United States to El Salvador where he fears persecution and torture.

The reason we seek discovery is that most of the information we have obtained regarding the issues in this motion have come from press reports, whose exact sources are not known to us, and from government reports (such as the State Department "Country Conditions" Reports) which may have been superceded by more recent information or investigations.

All of the requested discovery relates to the issues raised in our request that the dismissal of the indictment be made "with prejudice" due to what we assert is a lack of good faith on the part of the government. That lack of good faith, as stated

previously, is based on:

1) the assertion that the need for the dismissal is to allow our client to be prosecuted in El Salvador “first” when we now know that he has already been prosecuted,

2) the government’s knowledge that under the existing “state of emergency” in El Salvador that defendants accused of being members of MS-13 are not receiving speedy or fair trials,

3) the government’s awareness (or conscious avoidance of the knowledge) that conditions of confinement in prisons in El Salvador are so horrific that they amount to torture (which is a test for whether our government would be violating the Convention Against Torture by removing our client to El Salvador knowing that he would be detained there), and

4) the government’s awareness that the real reason that the President of El Salvador has requested the return of the defendant (and others) prior to further criminal proceedings in United States courts is that he wants to suppress the information that our client (and others in U.S. detention) may have about the President’s corrupt dealings with leadership of the MS-13 gang (and others) to help him get elected (as stated in the indictment).

All of the requests herein are designed to obtain reliable and official knowledge from persons who directly have that knowledge, either by seeking to obtain official memoranda and email or cable communications related to these issues, or, if none exist, by finding out who in the government might have direct knowledge of the facts in issue who could be called to testify in a deposition or a court hearing.

To the extent that documents we seek may be classified or otherwise highly sensitive, or that the identities of individuals should not be made public, we propose that the information be provided to the Court for review *in camera*. Likewise to the extent that individuals who have direct information include the highest levels of government (*e.g.*, the Secretary of State) we would ask only for whomever of their staff was responsible for maintaining a record of the relevant communications and agreements be made available.

Needless to say the purpose of these inquiries is to assist the Court in determining what is the truth, and thus we, of course, rely on the Court's judgment as to what information, and what level of reliability, would be necessary for deciding the motion.

Thank you.

Sincerely,

/s/ Louis M. Freeman

Louis M. Freeman

/s/ Thomas H. Nooter

Thomas H. Nooter

Attorneys for Defendant Arevalo-Chavez

cc: Office of the United States Attorney
Eastern District of New York
by ECF